

The Legislative Fiscal Division

Presents:

Profile of...

Department of Corrections

State of Montana



Agency Profile

This agency profile will discuss...

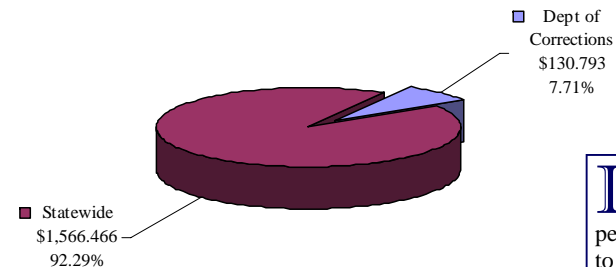
- structure and funding
- primary functions and
- historical expenditures

The profile also includes information on how decisionmakers can effect change in the agency's expenditures along with a listing of pertinent statistics. For an explanation of terms used in this profile, consult the "Background on the Agency Profiles" at:

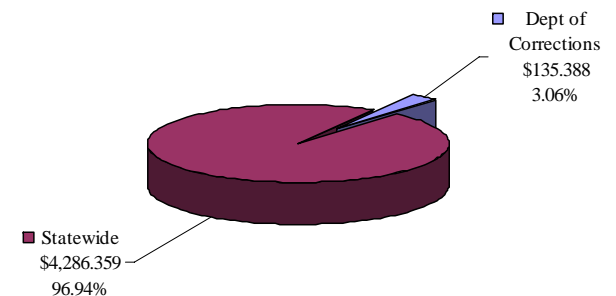
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General Fund Statewide Comparison
FY 2006

Let's begin by putting the agency's size in perspective by comparing it to state government as a whole.

Total Funds Statewide Comparison
FY 2006

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Legislative Fiscal Division


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Section D
Corrections & Public Safety



What the Agency Does

The Department of Corrections (DOC) is charged with utilizing state resources efficiently to develop and maintain comprehensive adult and youth corrections services. The primary responsibility of DOC is to house and/or provide services to adults and youth who are sentenced to DOC or one of the facilities it operates. DOC is also responsible for juvenile parole and adult probation and parole functions. However, juvenile probation services are part of the District Court Operations Program within the Judiciary Branch.



How Services Are Provided

The Department of Corrections provides services through the operation of state institutions, with state employees (such as probation and parole), and the purchase of incarceration and other services via contracts with local governments and private not-for-profit and for-profit businesses throughout the state.

The Department of Corrections provides these services through a structure consisting of six divisions with the following functions:

- Administration and Financial Services, including the Director's Office, Centralized Services, and the administratively attached Board of Pardons, provides administrative, management, budgeting, accounting, human resources, and contract management services for DOC
- Health, Planning, and Information Technology Division manages health care services for offenders and information technology for DOC

Statewide Factors With Impact

In addition to the factors above, a number of factors common to many agencies will also impact changes in expenditures over time.

- Economic Factors
 - Economic factors, such as inflation rates for specific commodities (utilities, medical care, food, information technology)
- Legislative Factors
 - Legislative policy as established through adoption of statutes and the funding provisions of the appropriations act
- Executive or Management Factors
 - In some instances, DOC has fairly broad authority to screen and place offenders in the "most appropriate" setting
 - Management or the Executive's interpretation and implementation of the concepts "public safety" and "protection of the public", including discretion used in determining if and what costs constitute administrative and overhead costs and the level of funding necessary for these functions
- Legal Factors
 - Statutory provisions, such as sentencing laws
 - Legal cases/court decisions can alter DOC policies and impact population management
- Social Factors
 - Social factors, such as poverty rate, substance abuse, etc., may impact the crime rate, the number of offenders, and what is deemed "appropriate" punishment, placement, and/or length of commitment



Statutory References

The primary statutory references defining duties and responsibilities of DOC are found at the following locations.

Section 2-15-2301, MCA
Section 53-1-201, MCA

How the Legislature Can Effect Change



In order to change expenditure levels and/or agency activity, the legislature must address one or more of the following basis elements that drive costs.

The cost of the Department of Corrections is driven primarily by the number of offenders to be provided services or incarcerated and the cost per offender. One caveat to this statement is the operation of state facilities where the operating costs associated with one additional offender may be minimal, assuming that a major building expansion and/or change in staffing patterns is not required to accommodate additional offenders.

If the legislature wishes to affect correctional expenditures in significant ways, it must address the number of offenders and/or the cost to provide services. The legislature might impact these items by:

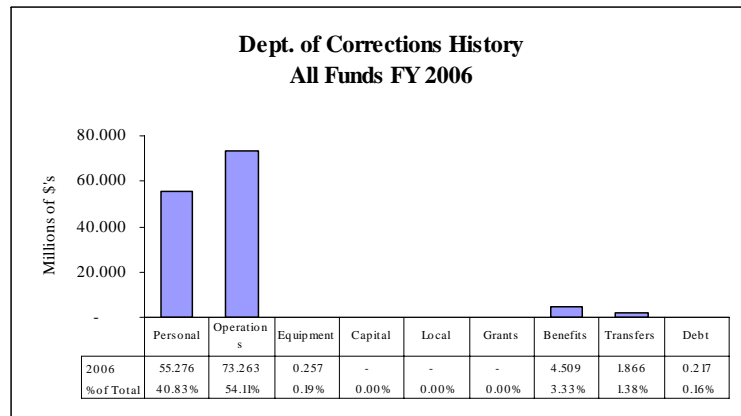
- Changing criminal statutes, including what offenses are considered a crime, whether they are a misdemeanor or felony offense, and the punishment or penalty that is placed upon individuals guilty of committing a criminal act
- Reducing the costs of current services and incarceration options and/or pursuing the development of new options that may be less costly. In such cases, it is important to determine how “less costly” is defined or determined. Less costly may be cost per day, cost per offender for the course of treatment or incarceration, or cost over a longer time period and measured in terms of future impact on the correctional system and society



- Community Corrections focuses on community-based correctional alternatives and services, including services such as probation and parole, adult prerelease programs, adult boot camp, and chemical dependency treatment, including programs geared toward alcohol abuse and two methamphetamine treatments centers scheduled to open in the spring of 2007
- Secure Custody focuses on provision of services in prison settings and includes the Montana State Prison (MSP) in Deer Lodge, the Montana Women's Prison (MWP) in Billings, and contract bed facilities, such as regional prisons throughout the state and a privately owned facility in Shelby
- Correctional Enterprises encompasses programs dealing in employment and work skills, including the ranch, the dairy, license plate manufacturing, boot manufacturing, commercial driver's licensing, and other vocational type programs. Currently, the majority of these programs are available at the Montana State Prison in Deer Lodge. However, DOC has and continues to seek opportunities to expand program availability at the Montana Women's Prison in Billings and other secure care facilities in the state
- Juvenile Corrections Division is responsible for management of juvenile corrections programs, including Pine Hills Youth Correctional Facility (PHYCF) in Miles City, Riverside Youth Correctional Facility (RYCF) in Boulder, transitional centers, juvenile parole, and community services. Funding for the Juvenile Delinquency Intervention Program (JDIP) is appropriated and managed by the division. Although Juvenile Parole Officers are included in this division, Juvenile Probation Officers are part of the District Court Operations Program in the Judiciary Branch.



Personal services and operating costs compose almost 95 percent of the expenditures made by DOC. Personal services costs reflect the costs of state employees, including those employed at state operated facilities and in probation, parole, and other functions performed by DOC staff. In FY 2006, the 10 largest operating costs of the department included contract beds (prerelease, secure care, and community correctional alternatives), shop supplies (primarily for license plate manufacturing), consulting and professional services, medical services, food, drugs, merchandise for resale in the prison canteen, insurance and bonding, rent (non department of administration), and natural gas.



Agency Functions, State Purposes, & Customers Served

The agency is structured to perform certain functions in support of general state government purposes. The following lists the major functions, purpose of provision of the functions, and primary customers served.

State Purposes	Major Agency Functions	Customers
<i>Provision of Justice and Protection of Life and Property</i>	Board of Pardons	General public, offenders
	Correctional Industries Program	General public, offenders
	Operation of correctional programs and institutions	General public, offenders



Although the percentage increase in adult secure care populations decreased over the previous year, the total adult offender population increased by a larger percentage than in the previous year.

Per DOC statistical information, between FY 2000 and 2006, the bed capacity of the corrections system increased in several areas:

- Male prison bed capacity increased from 2,020 to 2,425
- Female prison bed capacity increased from 132 to 264
- Male prerelease bed capacity increased from 508 to 722
- Female prerelease bed capacity increased from 95 to 120

Community correctional alternatives have also expanded to include:

- Assessment and sanction centers
- A revocation program for male offenders
- Treatment programs for certain offenders convicted of driving under the influence (DUI)
- New methamphetamine treatment programs are scheduled to open in the spring of 2007

The number of probation and parole officers (adult) has grown from 69 to 105

Expenditures decreased between FY 2002 and 2003. During this time period, the financial resources of the state were under great pressure. As part of the effort to decrease expenditure pressures, a conditional release of certain offenders was implemented by DOC. Conditional release moved lowest-risk offenders from secure facilities to lowercost community corrections programs.

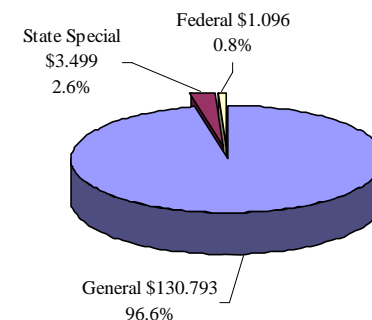


How Services Are Funded

Almost 97 percent of the Department of Corrections funding is from the general fund. State special revenue funds come primarily from canteen accounts, probation and parole supervisory fees, and reimbursement for the cost of care of juveniles. The Correctional Enterprises Program (prison ranch and various industries programs) is accounted for with proprietary funds, which are not appropriated in HB2. Federal funds support less than 1 percent of DOC's expenditures and are primarily from a grant that supports re-entry services for juvenile offenders.



**Dept of Corrections Funding History
All First Level FY 2006**



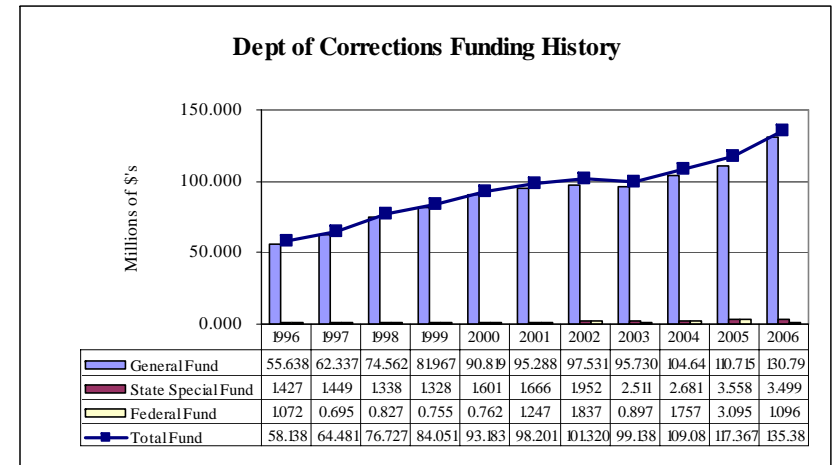


Related Data & Statistics

<i>Element</i>	<i>1996</i>	<i>2006</i>	<i>Significance of Data</i>
Average daily population, secure facilities (male adult)	1,791	2,425	Population is a cost driver
Average daily population, secure facilities (female adult)	108	264	Population is a cost driver
Average daily population, probation and parole (adult)	4,993	7,536	Population is a cost driver
Average daily population, all programs	7,013	11,719	Population is a cost driver
Average daily population Pine Hills (juvenile males)		97	
Average daily population Riverside (juvenile females)		15	



Expenditure History



Reasons for Expenditure Growth/Change

Total expenditures and expenditures of general fund by DOC have grown an annual average of about 9 percent. However, between FY 2005 and 2006, expenditures grew more than 15 percent. According to DOC, this is driven by the number of offenders committed to DOC or one of its facilities. Between FY 2005 and 2006, various segments of the offender population grew as follows:

- Adult male secure care – 5 percent
- Adult female secure care – 15 percent
- Total adult offender population – 8 percent